

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7122
American Pacific International Capital,)
Inc.; Huaidan Chen a/k/a Serena Tang;)
Gordon Tang; Wilson Chen; Right to)
Rise USA and Charlie Spies in his)
official capacity as treasurer)

AMENDED CERTIFICATION

I, Laura E. Sinram, recording secretary of the Federal Election Commission executive session, do hereby certify that on October 11, 2018, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-2 to:
 - a. Find reason to believe that Right to Rise USA and Charles R. Spies in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2).
 - b. Enter into pre-probable cause conciliation with Right to Rise USA and Charles R. Spies in his official capacity as treasurer prior to a finding of probable cause to believe.
 - c. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report #2 dated July 3, 2018.
 - d. Approve the proposed Conciliation Agreement with Right to Rise, as recommended in the General Counsel's Report #2 dated July 3, 2018;
 - e. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

2. Failed by a vote of 2-2 to:

- a. Find reason to believe that Right to Rise USA and Charles R. Spies in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2).
- b. Enter into pre-probable cause conciliation with Right to Rise USA and Charles R. Spies in his official capacity as treasurer prior to a finding of probable cause to believe.
- c. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report #2 dated July 3, 2018.
- d. Approve the Office of General Counsel's proposed Conciliation Agreement with Right to Rise, as recommended in the General Counsel's Report #2 dated July 3, 2018.
- e. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

3. Decided by a vote of 4-0 to:

- a. Find reason to believe that Right to Rise USA and Charles R. Spies in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g).
- b. Enter into pre-probable cause conciliation with Right to Rise USA and Charles R. Spies in his official capacity as treasurer prior to a finding of probable cause to believe.
- c. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report #2 dated July 3, 2018 and last circulated by Vice Chair Weintraub's Office at 11:53 a.m. on October 11, 2018.

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- d. Approve the Office of General Counsel's proposed Conciliation Agreement with Right to Rise, as recommended in the General Counsel's Report #2 dated July 3, 2018,

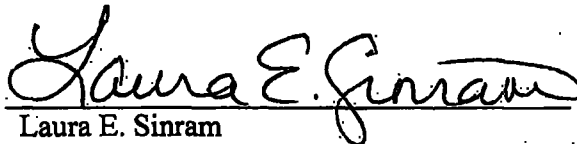
- e. Approve the appropriate letters.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

10/17/18

Date



Laura E. Sinram

Deputy Secretary of the Commission